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Attorneys for Plaintiffs  
ELIZABETH AIDA HASKELL, REGINALD ENTO,  
JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
on behalf of themselves and others similarly situated

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ELIZABETH AIDA HASKELL,  
REGINALD ENTO, JEFFREY PATRICK  
LYONS, JR., and AAKASH DESAI, on  
behalf of themselves and others similarly  
situated.

Civil Case No. C 09-4779 CRB

## **CLASS ACTION**

**STIPULATION AND ORDER RE:  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

Date: August 9, 2013  
Time: 8:30 a.m.  
Dept.: Courtroom 8, 19th Floor

Honorable Charles R. Breyer

Complaint Filed: October 7, 2009  
First Am. Complaint Filed: December 1, 2009

Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and  
1 Aakash Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva  
2 Steinberger, Assistant Bureau Chief for DNA Programs, California Department of Justice, by and  
3 through their counsel, hereby agree and stipulate as follows:

4 WHEREAS, the parties have a Case Management Conference (“CMC”) currently  
5 scheduled for August 9, 2013 at 8:30 a.m.;

6 WHEREAS, on September 19, 2012, an en banc panel of the Ninth Circuit reheard  
7 the pending appeal of this Court’s order;

8 WHEREAS, on November 9, 2012, the Supreme Court granted certiorari in  
9 another case addressing whether the Fourth Amendment allows the states to collect and analyze  
10 DNA from people arrested and charged with serious offenses, *King v. Maryland*, 42 A.3d 549  
11 (Md. 2012), cert. granted, 81 U.S.L.W. 3127 (U.S. Nov. 9, 2012), and held argument on February  
12 26, 2013;

13 WHEREAS, on November 13, 2012, the Ninth Circuit deferred submission of this  
14 case pending the U.S. Supreme Court’s decision in *Maryland v. King*;

15 WHEREAS, on June 3, 2013, the Supreme Court issued its decision in *Maryland*  
16 *v. King*, 133 S. Ct. 1236 (2013);

17 WHEREAS, on June 12, 2013, the Ninth Circuit ordered the parties to submit  
18 supplemental briefs on the application of the Supreme Court’s decision in *Maryland v. King*;

19 WHEREAS, the parties’ supplemental briefs are currently under consideration  
20 before the en banc panel;

21 WHEREAS, by agreement of the parties, counsel request a continuance of  
22 approximately 85 days;

23 NOW THEREFORE, the parties, by and through their undersigned counsel,

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1 hereby stipulate and agree that the August 9, 2013 CMC shall be continued, and that a CMC shall  
2 be held on November 1, 2013 at 8:30 a.m. Should an earlier date become necessary or  
3 appropriate by any further action of the Ninth Circuit, the parties will contact the Court.  
4

5 DATED: July 30, 2013

PAUL HASTINGS LLP

6 By: \_\_\_\_\_ /s/ Peter C. Meier  
Peter C. Meier

7 Attorneys for Plaintiffs  
8 ELIZABETH AIDA HASKELL, REGINALD ENTO,  
9 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
on behalf of themselves and others similarly situated

10 DATED: July 30, 2013

OFFICE OF THE ATTORNEY GENERAL

11 By: \_\_\_\_\_ /s/ Daniel J. Powell  
Daniel J. Powell  
12 Deputy Attorney General

13 Attorneys for Defendants  
14 KAMALA D. HARRIS, Attorney General of California and  
EVA STEINBERGER, Assistant Bureau Chief for DNA  
Programs, California Department of Justice

15  
16 I attest that concurrence in the filing of this document has been obtained from  
17 Daniel J. Powell, attorney for defendants Kamala D. Harris and Eva Steinberger.

18  
19 DATED: July 30, 2013

PAUL HASTINGS LLP

20 By: \_\_\_\_\_ /s/ Peter C. Meier  
Peter C. Meier

21 Attorneys for Plaintiffs  
22 ELIZABETH AIDA HASKELL, REGINALD ENTO,  
23 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
on behalf of themselves and others similarly situated

**ORDER**

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2       The Court has considered the above Stipulation, and good cause appearing  
3 therefore, the Court hereby ORDERS as follows: The August 9, 2013 CMC shall be continued,  
4 and a Case Management Conference shall be held on November 1, 2013 at 8:30 a.m.

5       PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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7       DATED: August 1, 2013  
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